

Required Report - public distribution

Date: 1/2/2004

GAIN Report Number: BR4601

Brazil

Planting Seeds

Annual

2004

Approved by:

William W. Westman, Agricultural Counselor
U.S. Embassy

Prepared by:

Oliver L. Flake

Report Highlights:

After a strong recovery in U.S. planting seed exports to Brazil in 2002, exports are down significantly for the first 10 months of 2003. On August 6, 2003, the new seed legislation (10.711) was signed into law requiring importers and exporters, among others, to register with the National Register of Seeds and Seedlings. The planting of biotech soybeans for the 2003/04 crop has been approved by Congress and the President.

Includes PSD Changes: Yes
Includes Trade Matrix: Yes
Annual Report
Brasilia [BR1]
[BR]

Table of Contents

Economic Situation	3
Production	4
Market Channels and Facilities	4
Brazilian Use of Improved Seed for Selected Crops	4
Planting Seed Production Policy.....	4
Seed Certification and Variety Approval.....	5
Intellectual Property Rights – Plant Variety Protection.....	6
Plant Health Regulations	7
Brazil's New Phytosanitary Requirements for Plant Products from the Untied States.....	7
Pest Risk Assessments.....	7
Summary of Biotechnology	8
New Regulations for the 2003/04 Soybean Crop	8
New Directive on GMO Food Labeling.....	8
Trade.....	9
U.S. Competition	9
Export Subsidies and Restrictions	9
Attachments - Laws and Regulations	10
Attachment 1 - Law N° 10.711 – National Seed and Seedling System.....	10
Attachment 2 - General Phytosanitary Requirements For All Origins That Traditionally Export to Brazil	22
Attachment 3 - Normative Instruction No 59 – Pest Risk Assessments	44

Economic Situation

Brazil, like other developing economies, is vulnerable to exchange rate fluctuations, and large capital inflows and outflows. Intense pressure on the exchange rate and Brazil's high debt to GDP ratio exacerbates this situation. If investors lose confidence, the flows register a downward trend, weakening the local currency, which leads investors to limit lending. Therefore, the cost of money increases. A reduction in the dependence on foreign capital seems desirable; however, for the foreseeable future, Brazil will continue to rely on foreign investment. For now, the Brazilian economic and political outlook is guardedly optimistic. Though Brazil's new President, Luiz Ignacio Lula da Silva, known as Lula, hails from the Labor Party, he continued the sound macroeconomic policies of his predecessor, Fernando Henrique Cardoso, since taking power in January 2003. In addition, Lula has shown an ability to press forward with reforms in the Brazilian Congress, which at least in the short run is more likely to ensure growth and expand tax revenues.

In 2002, according to the Brazilian Institute of Geography and Statistics (IBGE), GDP totaled R\$1.32 trillion, 1.5 percent growth compared to 2001. The modest economic growth of 2002 and into 2003 has been, to some extent, due to uncertainties with the new government, impacting the exchange rate and the official interest rate - SELIC - which equalizes interest rates applied in the local market. The depreciation of the local currency over the past five years has clearly affected Brazil's imports. In January 2002 the dollar was trading at US\$1=R\$2.6, but by December 2002 the exchange rate had reached US\$1=R\$3.7, with SELIC climbing from 19 percent to 25 percent in the same year. However, as of early December 2003, the SELIC had decreased 16.5 percent and the exchange rate to US\$1=R\$2.92.

Economic Indicators

	1998	1999	2000	2001	2002	2003*
GDP Growth (%)	0.1	0.9	4.0	1.5	1.5	0.5
Inflation (%) (IPCA/IBGE)	1.7	8.9	6.0	7.7	12.5	9.6
Average Exchange Rate (R\$/US\$)	1.16	1.81	1.83	2.35	2.96	3.10
Total Exports (US\$ billion)	51.1	48.1	55.0	58.2	59.6	72.0
Total Imports (US\$ billion)	57.5	49.2	55.7	55.5	55.3	48.0

Source:

- Brazilian Ministry of Development, Industry and Commerce (MDIC)/Secretariat of Foreign Trade (SECEX) trade databases (1998-2002)
- Brazilian Institute of Geography and Statistics (IBGE) (1998-2002)
- Brazilian Central Bank trade data
- Current trend analysis

* Projections for 2003 are taken from the Central Bank of Brazil (FIPE)

Production

Market Channels and Facilities

The Brazilian Association of Seed Producers (ABRASEM; in Portuguese) reports that there are eight state seed associations of seed producers which are members of ABRASEM which include: Rio Grande do Sul (RS), Santa Catarina (SC), Parana (PR), Mato Grosso do Sul (MS), Sao Paulo (SP), Mato Grosso (MT), Goias (GO), and Minas Gerais (MG). Additionally, two other organizations belonging to the National organization are the Brazilian Association of Vegetable Seed Developers and the Brazilian Association of Seed and Seedling Commerce.

The table below shows the structure of the Brazilian seed sector included in ABRASEM

	2000	2001	2002
Association Member/Growers	469	462	462
Processing Units	937	780	730
Seed Storage Units	1,180	965	1,050
Laboratories	208	231	290

Use of improved seeds in Brazil is increasing along with overall efficiency in the agricultural sector. Utilization of improved seed is most notable in higher value crops such as soybeans, wheat, and cotton. Meanwhile, common crops that are less influenced by international prices, such as dry edible beans, have a very low utilization rate. Overall use of improved seeds is growing, in part, due to greater investment in seed development. Multinational companies began investing more in seed development as intellectual property protection increased with the signing of the "Cultivar Law" in 1997. EMBRAPA, the Brazilian Ministry of Agriculture's equivalent to the USDA Agricultural Research Service, is also very active in the in the production and marketing of seeds.

Brazilian Use of Improved Seed for Selected Crops

Crop	00/01 Seed Production	01/02 Seed Production	02/03 Planted Area (ha)	Potential Demand for Improved Seed*	Effective Demand for Improved Seed	Level of Utilization (%)
Corn	171,995	232,510	12,962,800	260,066	208,052	80
Cotton	9,609	9,529	739,200	22,176	19,958	90
Dry Beans	10,889	15,017	4,291,300	214,447	21,445	10
Soybeans	824,272	828,881	18,534,300	1,112,438	945,572	85
Sorghum	5,629	9,077	619,700	4,996	3,497	70
Rice	110,230	83,818	3,190,100	382,695	153,078	40
Wheat	196,474	269,678	2,351,900	294,904	265,414	90
Total	1,329,098	1,448,510	42,689,300	2,291,722	1,617,016	71

Source: ABRASEM,

*Potential seed demand is total seed use in Brazil and effective seed demand is current improved seed use.

-Production and Seed Demand in tons.

Planting Seed Production Policy

Direct government programs in the seed sector consist of research and development of new seed varieties appropriate for Brazilian growing conditions, seed production and the marketing of seed directly to producers, production credit, seed certification and surveillance, and education and training of seed producers. EMBRAPA is an important producer and distributor of foundation seed (particularly for cotton, rice, dry beans, corn, potatoes, and

soybeans). Although there has been greater private investment in the seed sector following the passage of the Cultivar Law in April 1997, EMBRAPA is still responsible for a large portion of the market for foundation seeds. EMBRAPA also sells commercial seed (for a profit) directly to seed producers, cooperatives, farmers, and state governments. To some extent, EMBRAPA competes with private industry for some types of seeds.

EMBRAPA is also responsible for approving import permits and, until December 1999, controlled all quarantine of imported seed. Normative Instruction 16/99, "Quarantine Centers," extends quarantine responsibility to the individual states. Although EMBRAPA remains the principal quarantine center, states may now opt for alternative sites. This law was enacted to alleviate complaints of limited quarantine space and lengthy waiting times for clearance of quarantined seed.

Seed Certification and Variety Approval

Under Brazil's basic Seed Law there are two officially recognized classes of seeds, certified and surveyed. The two systems are quite similar and produce generally the same quality of seed, and differ primarily by the level of official oversight over the production process. Certified seed is produced with a greater degree of outside oversight and thus a higher level of quarantine associated with the quality of the seed. Certified seed must be produced from basic or other certified seeds. The number of generations away from pure parent stock seeds from which the certified seeds can be produced is limited. This seed is certified by some entity (can be public or private) outside of the company producing the seed. On the other hand, surveyed seed can be produced from other surveyed seed and there is no limit to generations as long as the seeds produced fall within certain quality and identity norms. Surveyed seed is produced under the surveillance of the producer's responsible technician. Due to the additional costs and guarantees associated with certified seed, its cost is higher than surveyed seed.

Prior to December 31, 1997, the Brazilian government tested and determined what seed varieties would be allowed to be sold within Brazil. However, this procedure was revised in order to facilitate harmonization within MERCOSUL, resulting in a more market-based approach to the seed business. Directive (Portaria) 527/97 published on Jan. 7, 1998 amended the basic Seed Law and established a National Registry of Cultivars (RNC) which has the responsibility of establishing the criteria by which varieties could be officially registered on a national list. In order for a variety to be registered it must meet certain minimum requirements for the determination of its "Cultivation and Use Value" (VCU). Directive 294/98 of October 14, 1998 is the first implementing legislation of Dir. 527/97 and established the minimum requirements of the VCU for eight (8) commodities (cotton, rice, potatoes, dry beans, corn, soybeans, sorghum, and wheat). It also contains prototype copies of the official forms to request the inclusion of a variety in the National Cultivar Registry. This is a separate and distinct process from the Cultivar Law, which is Intellectual Property Rights legislation.

On April 5, 2000, the Government published Normative Instruction 6/00, which requires Phytosanitary Certification of Origin (CFO). The new regulation requires testing and certification of pests and diseases in fields producing foundation seed. The farms must have certification stating the pests and diseases present and the treatment applied to combat them.

On August 8, 2003, a new seed law (Law 10.711 – see attachment 1) was passed which covers all activity relating to the production, trade, and utilization of seed in Brazil. The law seeks to accomplish the following: guarantee intellectual property rights of seed developers, control the registration of cultivars through the National Register of Cultivars, and guarantee

the availability of seeds and seedlings. The law also requires registration in the National Register of those involved in the activities of production, improvement, packaging, analysis, importation, and exportation of seeds and seedlings.

Intellectual Property Rights – Plant Variety Protection

The Cultivar Law (Law 9,456/97) was published on April 28, 1997. Until then, companies that produced or sold seeds had no legal protection and didn't receive any royalties for investing in research and development of new seed types. The Brazilian government, via EMBRAPA, was the major developer of many varieties of seeds. Without any intellectual property protection, domestic companies invested less in research and development of new seed varieties. In addition, foreign companies were more reluctant to release varieties that they had developed because of the fear of having their products become part of the "public domain" in Brazil with no recourse to recoup the expenses of developing these varieties. As a result of the Cultivar Law there has been greater investment in the sector.

The first implementing legislation of the Cultivar Law, Decree 2,366/97, was published on November 7, 1997. It describes the procedure by which plant varieties can obtain intellectual property rights through a Cultivar Protection Certificate, including specific morphological, physical, biochemical, or molecular descriptors that identify the variety as unique.

In December 1997, the majority of the seed producing entities in Brazil, both domestic and multinational, private and governmental, formed the Brazilian Association of Plant Breeding Companies (BRASPOV) as an industry wide effort to enforce the provisions of the Cultivar Law and insure their intellectual property rights in the seed sector. The stated goals of BRASPOV are to 1) protect the rights and defend the interests of its members, 2) assure the application and improvement of the current legislation, where illegal practices on production and marketing can be controlled, 3) collaborate with public and private companies with similar interests, 4) promote professional ethics on plant breeding issues, and 5) provide technical, judicial (legal) and administrative assistance and representation of its members in official and private institutions, at regional, national or international levels.

BRASPOV works closely with the National Service of Cultivar Protection (SNPC), which is responsible for the issuance of certificates of protection for cultivars. SNPC established a period of 15 years for the protection of a cultivar, after which time the cultivar becomes public domain. The table below shows the requests for cultivar protection since the Cultivar law was passed.

Requests for Protection Since Passage of Cultivar law to March 2003

Crop	Request for Protection	Requests being analyzed	Certificates Issued	Cultivars Currently Certified
Cotton	38	2	30	30
Rice	33	1	30	29
Potatoes	47	3	35	31
Sugarcane	43	2	41	41
Barley	1	1	0	0
Dry Beans	18	0	16	15
Corn	27	3	24	24
Soybeans	254	17	217	209
Sorghum	14	6	8	8
Wheat	47	7	40	40
Total	522	42	441	427

Plant Health Regulations

A substantial number of "shipment stuck on the dock" problems in the seed sector have been problems with shipments that arrive in Brazil with a USDA/Animal and Plant Health Inspection Service (APHIS) re-export certificate. The problem is with seeds grown in third countries that are then imported into the United States for further processing, testing, certifying, and other treatment. As APHIS cannot attest to or certify the conditions in the original country of origin, it is important that these seeds for re-export from the United States retain the phytosanitary certificates from the original country of origin and the re-export certificate from APHIS. As the seed sector becomes more interconnected and globalized, this issue will likely become more important.

On November 21, 2002, the Brazilian Government published Normative Instruction no. 59, which replaces Normative Instruction no 34 and requires Pest Risk Assessments (PRA)s for each species from every country of origin. Imports will not be allowed until a PRA is completed. However, if the PRA process has begun but not yet completed (considered an open docket) imports may be permitted if the product qualifies as being traditionally exported to Brazil. Requirements for seeds traditionally imported from origins lacking specific phytosanitary requirements are listed in Attachment 2. Given the many changes occurring in this sector at this time, due to ongoing regional harmonization of phytosanitary requirements as well as specific Brazilian issues of concern, U.S. seed exporters should check with APHIS/Brasilia for additional information on the status of Brazilian phytosanitary import requirements at any given time.

Brazil's New Phytosanitary Requirements for Plant Products from the United States

On January 11, 2001, the Ministry of Agriculture and Food Supply (MAA) published Normative Instruction Number 4 in the "Diario Oficial" (Brazil equivalent of the Federal Register). This rule was effective January 11, 2001.

Normative Instruction Number 4 is based on the bilateral U.S.-Brazil meetings during May 3-4, 1999. It requires Additional Declarations, (DA in Portuguese), in the Phytosanitary Certificate (CF) for various agricultural products from the United States, including many seeds. The latest requirements are in attachment 2, followed by a translation of the codes and abbreviations. U.S. exporters should be aware of the new requirement for freedom of the nematode *Ditylenchus dipsaci* for many seeds. Freedom from this nematode is not a common phytosanitary requirement from importing countries. Brazil only has one species of the nematode and wants to prevent the entry of new species. U.S. exporters should also be aware that Brazil has not yet officially recognized any areas of the United States as "free" of specific pests except for striga as outlined in Normative Instruction 32 and the Anguina Tritici nematode as outlined in Normative Instruction 42.

Pest Risk Assessments

All seeds which are not listed in Normative Instruction 4, will only be permitted entry after completion of a Pest Risk Assessment (PRA) and publication of specific phytosanitary requirements, unless they are considered a traditional export. Recently completed PRA's include roughish meadow grass, bluegrass, tall fescue grasses, and several citrus seeds. The new Normative Instruction no. 59, published on November 21, 2002, clarifies the Pest Risk Procedures to be followed, and specifies that "documentation be submitted in Portuguese, and be reviewed by USDA/APHIS/PPQ." U.S. exporters need to be aware that

PRAs will need to be done on third-country origin seeds that are re-exported from the United States to Brazil, with information provided by the country-of-origin.

Summary of Biotechnology

The new Brazilian government, which took over January 1, 2003, began to tackle the so-called "transgenic" crisis in Brazil (consisting of a legal moratorium since 1998, illegal plantings, and lack of government control and monitoring) with the creation of a nine-member inter-ministerial working group by the Executive Order Number 4,602, of February 18, 2003. Under the coordination of the President's Chief of Staff, the working group's role is to develop official recommendations for Government policies on biotech products. As a result of several meetings of this working group, the federal government announced two major decisions regarding biotech soybeans:

a) Provisional Measure 113, of March 26, 2003 (later approved by Congress and transformed into Law 10,688, of July 13, 2003), officially recognized the planting of genetically modified soybeans in Brazil and approved (legalized) the marketing of the 2002/2003 biotech soybean crop until January 31, 2004, under certain conditions and regulations.

b) Executive Order Number 4,680, of April 24, 2003, which established a one-percent tolerance limit for genetically modified organisms in bulk products, foods, and by products for human or animal consumption. This Executive Order revoked the 2001 Executive Order Number 3,871 which had established a tolerance limit at 4 percent for biotech products derived from soybeans.

New Regulations for the 2003/04 Soybean Crop

The Brazilian government was caught by nature's time frame (the 2003/2004 crop year begins officially in October 2003) and by pressures from Brazilian farmers, mostly from the state of Rio Grande do Sul, who could be legally sued as "criminals" if they planted the biotech soybean seeds set aside from the 2002/2003 soybean crop. In view of this, the federal government decided to approve, on a temporary basis, the production and marketing of the 2003/2004 soybean crop with the use of biotech soybean seeds.

On September 26, 2003, the Vice President, acting as President, published in Brazil's Federal Register (Diario Oficial), two new regulations regarding this issue: 1) Provisional Measure Number 131 and, 2) Executive Order Number 4,846, both dated from September 25, 2003.

The Presidential Decree, MP 131, legalizing the planting of biotech soybeans in Brazil for the 2003-04 crop was approved by the Congress and was signed into law by President Lula on December 15. The Decree says that farmers with biotech seeds can plant them but must declare it.

New Directive on GMO Food Labeling

The Office of Economic Defense (SDE), Ministry of Justice (MJ), published PUBLIC CONSULTATION NUMBER 1 on their home page (<http://www.mj.gov.br/sde>), with the text of an unnumbered Directive, which regulates Article 2, Paragraph One, of Executive Order Number 4,680 of April 24, 2003 (as reported in GAIN BR3607 of 5/9/2003).

Article Two of Executive Order Number 4,680/03 established the limit of one percent for food and food ingredients destined for human or animal consumption containing or being

produced with genetically modified organisms, and stated that consumers needed to be informed of the transgenic nature of the product.

Paragraph One of Article Two of the referred Executive Order also established that the Ministry of Justice would define the symbol (logo) by means of an Act. The minutes of this Act were published for public consultation with a deadline of October 20, 2003 and will be enforced by means of a Directive to be signed by the Minister of Justice, and will enter into force 60 days after publication in the Diario Oficial (Brazil's Federal Register).

(For more information see report BR3614)

Trade

U.S. planting seed exports posted a strong recovery in 2002 totaling \$9.1 million compared to \$6.52 million in 2001. However, exports through October of 2003 are only \$3.73 million, which is half that of January through October of 2002. Total planting seed imports by Brazil are also down through the first 10 months of 2003 and therefore, U.S. market share has only fallen slightly. Other major exporters of planting seeds include Chile, the EU, and Israel.

U.S. Planting Seed Exports to Brazil (Value in 1000 Dollars)				
	2000	2001	2002	2003 (Jan.-Oct.)
Vegetable Seeds	4,135	4,853	7,921	2,171
Field Crop Seeds	439	585	249	371
Grass and Forage Seeds	244	277	167	126
Other Seeds*	1,146	809	761	1,062
Total	5,964	6,525	9,097	3,730

* Includes seeds for ornamental flowers, tobacco, trees and shrubs, melons, sugar beets, and others.

U.S. Competition

Seed exports by Chile to Brazil are increasing rapidly and in 2003 are more than double that of the 2002. As an associate member of Mercosul, Chile is required to pay only 60 percent of the Common External Tariff (TEC). However, applied rates on seeds imported into Brazil are zero and thus associate and full members of Mercosul have no preferential tariff treatment over imports of U.S. seed. Nevertheless, the United States faces significant challenges in the form of non-tariff phytosanitary barriers (see "Plant Health Regulations" section).

Export Subsidies and Restrictions

Post knows of no direct export subsidies or restrictions for seeds.

Attachments - Laws and Regulations

Attachment 1 - Law N° 10.711 – National Seed and Seedling System

LAW N° 10.711, OF AUGUST 5, 2003.

Covers the National Seed and Seedling System and makes other provisions.

The PRESIDENT OF THE REPUBLIC. Let it be known that the National Congress decrees and I sanction the following Law:

CHAPTER I

PRELIMINARY PROVISIONS

Art. 1 The National Seed and Seedling System, instituted according to the terms of this Law and its regulations, aims to ensure the identity and quality of the plant multiplication and breeding material produced, commercialized and used throughout the national territory.

Art. 2 For the effects of this Law, the following terms are understood to be:

I – sample: representative portion of a lot of seeds or seedlings, sufficiently homogenous and correctly identified, obtained through a method indicated by the Ministry of Agriculture - MAPA;

II – official sample: sample taken by an inspector for purposes of inspection analysis;

III – sampling: act or process of obtaining a portion of seeds or seedlings as defined in the regulations of this Law, in order to constitute a representative sample of the defined field or lot;

IV – sampler: individual accredited by MAPA to perform sampling;

V – warehouser: individual or legal entity that stores seeds for itself or for third parties;

VI – processing: operation performed through physical, chemical or mechanical means in order to improve the quality of a seed lot;

VII – processor: individual or legal entity that provides seed or seedling processing services for third parties, with the assistance of a technician in charge;

VIII – category: unit of classification, within a class of seeds, that considers the genetic origin, quality and number of generations, when applicable;

IX – seed or seedling certification: seed or seedling production process performed through quality control on all stages of its cycle, including information on genetic origin and control of generations;

X – seed or seedling certificate: document issued by the certifier proving that the seed or seedling lot was produced according to established rules and standards for certification;

XI – certifier: MAPA or the legal entity accredited by it to perform seed and seedling certification;

XII – class: identification group according to the production process;

XIII – merchant: individual or legal entity that commercializes seeds or seedlings;

XIV – commercialization: the act of advertising, displaying for sale, selling, consigning, repacking, importing or exporting seeds or seedlings;

XV – cultivar: the variety of any superior plant type or species that is clearly distinguishable from other known cultivars, through a minimum margin of descriptors, by its own denomination, that is homogenous and stable in relation to the descriptors through successive generations, and is a species that can be used by the agro-forestry industry, described in a specialized publication available and accessible for the public, as well as the hybrid lineage;

XVI – local, traditional or native cultivar: variety developed, adapted or produced by family farmers, land reform settlers or indigenous, with well-defined characteristics recognized by their respective communities, and that, according to MAPA criteria, and considering socio-cultural and environmental descriptors, are not characterized as substantially similar to commercial cultivars;

XVII – possessor of seed: the individual or legal entity that is in possession of the seed;

XVIII – inspection: exercise of police power, in order to repress acts of non-compliance with the provisions of this Law and its regulations, performed by a Federal Agricultural Inspector of MAPA or civil servant of the state, municipal or Federal District administration qualified to perform inspection and authorized by the respective professional practice oversight councils;

XIX – hybrid: the result of one or more crosses, under controlled conditions, between parents with distinct, stable genetic composition whose varietal purity is defined;

XX – identity: set of information necessary for the identification of seeds or seedlings, including genetic identity;

XXI – genetic identity: the cultivar's set of genotype and phenotype traits that differentiates it from others;

XXII – introducer: individual or legal entity that introduces for the first time in the country a cultivar developed in another country;

XXIII – clone garden: set of mother or basic plants, intended to provide multiplication material of a certain cultivar;

XXIV – seed and seedling analysis laboratory: unit established and accredited specifically to perform the analysis of seeds and issue the respective analysis bulletin or certificate, assisted by the technician in charge;

XXV – maintainer: individual or legal entity responsible for providing a minimum stock of propagation material of a cultivar registered in the National Registry of Cultivars (RNC), conserving its genetic identity and varietal purity traits;

XXVI – seedling: plant propagation material of any type, species or cultivar derived from sexual or asexual breeding, whose specific purpose is planting;

XXVII – certified seedling: seedling that has been submitted to the certification process, coming from a basic plant or a mother plant;

XXVIII – obtainer: individual or legal entity that obtains a cultivar, new cultivar or essentially-derived cultivar;

XXIX – basic plant: plant obtained from the improvement process, under the responsibility and direct control of its obtainer or introducer, conserving its genetic identity and varietal purity traits;

XXX – mother plant: plant providing propagation material that maintains the traits of the Basic Plant from which it comes;

XXXI – production: the process of propagating seeds or seedlings;

XXXII – seedling producer: individual or legal entity that, assisted by a technician in charge, produces seedlings intended for commercialization;

XXXIII – seed producer: individual or legal entity that, assisted by a technician in charge, produces seeds intended for commercialization;

XXXIV – propagation: breeding, with seeds themselves, or multiplication, with seedlings and other plant structures, or a combination of these actions;

XXXV – quality: set of attributes inherent to seeds or seedlings that allow for proving genetic origin and their physical, physiological and phytosanitary status;

XXXVI – repacker: individual or legal entity that, assisted by a technician in charge, repacks seeds;

XXXVII – technician in charge: agronomy engineer or forestry engineer registered in the respective Regional Board of Engineering, Architecture and Agronomy (Crea), bearing technical responsibility for production, processing, repacking or analysis of seeds in all their phases, in his/her respective area of professional qualification;

XXXVIII – seed: plant breeding material of any type, species or cultivar derived from sexual or asexual breeding, whose specific purpose is sowing;

XXXIX – genetic seed: breeding material obtained from the plant improvement process under the responsibility and direct control of the obtainer or introducer, conserving its genetic identity and varietal purity traits;

XL – basic seed: material obtained from the breeding of a genetic seed, conducted in order to ensure its genetic identity and varietal purity;

XLI – certified first-generation seed: plant breeding material resulting from the breeding of a basic seed or genetic seed;

XLII – certified second-generation seed: plant breeding material resulting from the breeding of a genetic seed, basic seed or certified first generation seed;

XLIII – seed for self use: quantity of plant breeding material kept by the farmer, upon each harvest, for sowing or planting exclusively in the following season, on his own farm or on his/her leased farm, according to parameters for the calculation of seed quantity registered for the cultivar in the National Registry of Cultivars (RNC);

XLIV – statement of compliance: document issued by the technician in charge, with the purpose of declaring that the seed or seedling was produced in accordance with the rules and standards established by MAPA;

XLV – use of seeds or seedlings: use of plants or their parts with the purpose of sowing or planting;

XLVI – user of seeds or seedlings: user of seeds or seedlings with the purpose of sowing or planting;

XLVII – cultivation and use value (VCU): intrinsic value of the combination of the cultivar's agronomical traits with its properties for use in agricultural, industrial or commercial activities, or consumption in non-manufactured state.

Sole paragraph. The concepts contained in Law n° 9.456, of April 25, 1997 also apply, as far as pertinent and unless this Law contains provisions to the contrary.

CHAPTER II

THE NATIONAL SEED AND SEEDLING SYSTEM

Art. 3 The National Seed and Seedling System (SNSM) encompasses the following activities:

I – national registry of seeds and seedlings (Renasem);

II – national registry of cultivars (RNC);

III – production of seeds and seedlings;

IV – certification of seeds and seedlings;

V – analysis of seeds and seedlings;

VI – commercialization of seeds and seedlings;

VII – inspection of production, processing, sampling, analysis, certification, storage, transportation and commercialization of seeds and seedlings;

VIII – use of seeds and seedlings.

Art. 4 MAPA is responsible for promoting, coordinating, regulating, supervising, auditing and inspecting actions resulting from this Law and its regulation.

Art. 5 The states and Federal District are responsible for preparing supplemental rules and procedures regarding the production of seeds and seedlings, as well as conducting inspection of commerce in the states.

Sole paragraph. Inspection of commerce of seeds and seedlings in the states may be conducted by MAPA, when requested by the state or Federal District.

Art. 6 MAPA has sole responsibility for the inspection of interstate and international commerce of seeds and seedlings.

CHAPTER III

NATIONAL REGISTRY OF SEEDS AND SEEDLINGS

Art. 7 The National Registry of Seeds and Seedlings (Renasem) is hereby established, under MAPA.

Art. 8 The individuals and legal entities that conduct the activities of production, processing, packing, storage, analysis, commerce, import and export of seeds and seedlings are required to register with Renasem.

§ 1 MAPA shall accredit, through Renasem, individuals and legal entities that meet the requirements of the regulations of this Law to conduct the activities of:

- I – technician in charge;
- II – seed and seedling certification body;
- III – self-production seed or seedling certifier;
- IV – seed and seedling analysis laboratory;
- V – seed and seedling sampler.

§ 2 Individuals or legal entities that import seeds or seedlings for self-use on their own farm, or on leased farms owned by third parties are exempt from registration with Renasem, provided they meet the conditions established in the regulations of this Law.

§ 3 Family farmers, land reform settlers and indigenous who multiply seeds or seedlings for distribution, barter or commercialization among themselves are exempt from registration with Renasem.

Art. 9 Public services resulting from registration or accreditation in Renasem shall be remunerated under a specific public service price regime, with MAPA being responsible for determining amounts and forms of collection for the activities of:

- I – seed producer;

II – seedling producer;

III – seed processor;

IV – seed repacking;

V – seed warehouser;

VI – seed merchant;

VII – seedling merchant;

VIII – seed or seedling certifier;

IX – seed or seedling analysis laboratory;

X - sampler;

XI – technician in charge.

Sole paragraph. The individual or legal entity that performs more than one activity shall only pay the amount referring to the highest annual fee and the highest registration or accreditation fee for the activities it conducts.

CHAPTER IV

THE NATIONAL REGISTRY OF CULTIVARS

Art. 10. The National Registry of Cultivars (RNC) and the National Roster of Registered Cultivars (CNCR) are hereby established, under MAPA.

Sole paragraph. The CNCR is the registry of cultivars registered with the RNC and its maintainers.

Art. 11. Prior registration of the respective cultivar in the RNC is a condition for the production, processing and commercialization of seeds and seedlings.

§ 1 There may only be one registration for a cultivar.

§ 2 The existence of at least one maintainer is a condition for the maintenance of a cultivar in the RNC, except for cultivars whose propagation material depends exclusively upon imports.

§ 3 MAPA may accept more than one maintainer for the same cultivar registered in the RNC, provided that maintainers prove that they have the technical resources to ensure the maintenance of the cultivar.

§ 4 Maintainers that, for some reason, fail to supply basic material or fail to ensure the cultivar's traits declared in registration in the RNC will be excluded from the cultivar's registration in the CNCR.

§ 5 In the case of a protected cultivar, under the terms of Law n° 9.456, of April 25, 1997, registration must be made by the obtainer or legally-authorized proxy.

§ 6 Registration in the RNC is not required for a local, traditional or native cultivar, used by family farmers, land reform settlers or indigenous.

§ 7 The regulations of this Law shall establish the criteria for the maintenance or exclusion of registration in the RNC of public domain cultivars.

Art. 12 Naming the cultivars shall be mandatory for identification purposes. This shall be a generic name, which for the purpose of registration must be according to the following criteria:

I – The name shall be unique and shall not be formed by numbers only.

II – The name shall be different from names of existing cultivars;

III – The name shall not lead to error as to intrinsic characteristics or origin of the cultivar.

Art. 13 MAPA shall issue a special publication with the listings of the National Roster of Registered Cultivars.

Art 14 Cultivars already registered in the RNC shall be valid as of the date of publication of this Law provided that interested parties comply with the requirements in Art 11 within a term of one hundred and eighty (180) days.

Art 15 MAPA shall set rules to determine cultivation and use value (VCU) for each of the plant species for which cultivars will be registered in the RNC.

Art 16 Cultivar registration in the RCN may be cancelled or suspended according to regulations established in this Law.

Art. 17 Public services required for cultivar registration in the RCN shall be under a specific public service price regime according to amounts and forms of collection established by MAPA.

Chapter V Production and Certification - Art 18 MAPA shall promote the organization of a countrywide system for production of seeds and seedlings, including a certification process

Art 19 The breeder registered in the Renasem shall be responsible for the production and control of the identity and quality of seeds and seedlings.

Sole paragraph – A minimum plant germination standard shall be ensured by possessors of seed, according to the regulations established in this Law. Possessors may be breeders, merchants or users.

Art. 20 Identity and quality standards of seeds and seedlings as established by MAPA and published in the Federal Official Journal will be valid nationwide.

Art 21 Breeders must identify seeds and seedlings so that the specifications established according to this Law are shown on identification stamps, labels or tags on the packaging.

Art 22 Seeds and seedlings shall be identified by the word "Seed" or "Seedling" plus the species' common name.

Sole paragraph – Seeds and seedlings produced under a certification process shall be identified according to the categories described in Art. 23, plus the species' common name.

Art 23 Under the certification process, seeds and seedlings shall be classified according to the following categories:

I – Genetic seed;

II – Basic seed;

III – Certified first generation seed – C1;

IV – Certified second generation seed – C2;

V – Basic plant;

VI – Mother plant;

VII – Certified seedling

§ 1 Breeding of a certified second generation seed (C2) from a certified first generation seed(C1) or a primary seed shall be, respectively, by means of ultimately breeding from the previous category, according to the range of categories cited above.

§ 2 MAPA may authorize more than one generation for the multiplication of the basic seed, taking into account the characteristics of each plant species.

§ 3 Production of basic seeds, certified first-generation seeds (C1) and certified second-generation seeds (C2) can only be achieved after registration of producing fields with MAPA, according to rules and standards in force for each species.

§ 4 Production of certified seedlings can only be achieved after registration with MAPA of the mother plant and basic plant clone garden, as well as registration of the respective plant nursery, according to rules and standards in force.

Art. 24. A maximum of two generations of non-certified seeds with ascertained genetic origin may be produced from certified, basic or genetic seeds on producing fields duly registered with MAPA, according to rules and standards set forth in this Law.

Sole paragraph. At MAPA's discretion and as provided in this article, seeds may be produced without a proof of genetic origin, in case there is no technology available for the production of genetic seeds of the respective species.

Art. 25. Registration of producing fields for seeds and seedlings of a cultivar protected according to Law No. 9.456, of 1997, can only be made by written authorization of the owner of property rights over the cultivar.

Art. 26. Production of non-certified seedlings must be according to the provisions in this Law.

Art. 27. MAPA or accredited entities shall certify seeds and seedlings according to the provisions in this Law

Sole paragraph. Seed or seedling producers may certify their own crops provided that they are is accredited by MAPA according to art. 8, § 1 of this Law.

CHAPTER VI

SEED AND SEEDLING ANALYSIS

Art. 28. Analyses of seed and seedling samples can be performed according to MAPA official methods.

Art. 29. Analyses of seed and seedling samples for the purposes established in this Law shall only be valid when performed directly by MAPA or MAPA accredited or approved laboratories.

Sole paragraph. For inspection purposes, the results of the analyses can only be considered valid when obtained from official samples directly analyzed by MAPA or by a MAPA accredited official laboratory.

CHAPTER VII

DOMESTIC TRADE

Art. 30. Trade and transportation of seeds and seedlings shall require compliance with identity and quality standards established by MAPA.

Sole paragraph. In emergencies and for set terms, MAPA may authorize trade in plant propagation material considered below the minimum identity and quality standards established.

Art. 31. Seeds and seedlings must be identified at all times, with an indication of their categories as described in art. 23, and whenever transported, sold or stored the corresponding invoice or invoice from producer, or the seed certificate or compliance document according to the provisions of this Law must always accompany the shipment.

Art. 32. Commercialization and transportation of seeds treated with chemicals or agrochemicals must be according to the provisions in this Law.

CHAPTER VIII

INTERNATIONAL TRADE

Art. 33. Production of seeds and seedlings for international trade shall obey specific rules established by MAPA, and comply with requirements in international agreements and treaties governing international trade or requirements of importing countries, whichever is the case.

Art. 34. Imports are authorized only for seeds or seedlings from cultivars that are registered in the National Registry of Cultivars.

Sole paragraph. Cultivars imported for the purpose of research, testing of crop and use value or reexport are exempt from registration in RNC.

Art. 35. The documentation required by this law must accompany imported seeds or seedlings.

§ 1 Without prior authorization by MAPA, imported seeds or seedlings must not be used or even partially used for purposes other than those for which they were imported.

§ 2 At MAPA's discretion, imported seeds or seedlings, if condemned, shall be returned to the exporter, reexported, destroyed, or used for other purposes.

CHAPTER IX

SEED AND SEEDLING USE

Art. 36. It is MAPA's task to advise on the use to seeds and seedlings in Brazil, in order to avoid their undue use or harm to Brazilian agriculture, according to the provisions in this Law.

CHAPTER X

INSPECTION

Art. 37. Individuals or entities that produce, process, analyze, pack, repack, make samples of, certify, store, transport, import, export, use or sell seeds or seedlings are subject to MAPA's inspections.

§ 1 Inspections according to this article shall be performed by MAPA's trained inspectors, without infringing the provisions in art. 5.

§ 2 MAPA inspectors shall inspect production, processing, trade and use of seeds and seedlings, and their free access to establishments, documents or persons mentioned above shall be assured while they are performing their inspection activities.

Art. 38. By means of covenants or agreements with public entities, MAPA may decentralize the inspection services herein, according to the regulations in this Law.

Sole paragraph. The delegation whose jurisdiction is provided for above shall be subject to regular audits, performed by MAPA as established in the regulations of this Law.

Art. 39. Any seeds or seedlings whether packed or in bulk, stored or moved, identified or not identified shall be subject to inspection according to the provisions in this Law.

CHAPTER XI

SEED AND SEEDLING COMMITTEES

Art. 40. Seed and Seedling Committees are hereby created, said committees being collegial, consultative and counseling bodies in charge of proposing supplemental rules and procedures to MAPA relative to seed and seedling production, trade and use.

§ 1 Seed and Seedling Committees to be installed in the Brazilian States shall include representatives of federal, state, municipal, and private sector entities involved in inspection, research, education, technical cooperation and extension services, production, trade and use of seeds and seedlings.

§ 2 The composition, structure, obligations and responsibilities of Seed and Seedling Committees shall be determined in the regulations of this Law.

§ 3 MAPA shall coordinate the operation of Seed and Seedling Committees countrywide.

CHAPTER XII

PROHIBITIONS

Art. 41. Production, processing, storage, analysis, trade, transportation and use of seeds and seedlings which do not comply with the provisions in this Law are prohibited.

Sole paragraph. The classification of violations to this Law and respective penalties are disciplined in the regulations.

CHAPTER XIII

PRECAUTIONARY MEASURES AND PENALTIES

Art. 42. Upon inspector citation, the following shall be adopted as precautionary measures, as provided by the regulations of this Law:

I – suspension of commercialization; or

II – quarantining the establishment.

Art. 43. Without affecting applicable penal and civil liability, non-compliance with the provisions of this Law shall subject the individuals and legal entities, referred to in art. 8, to the following penalties, individually or cumulatively, as provided for in the regulations of this Law:

I - warning;

II –fine;

III – seizure of seeds or seedlings;

IV – condemnation of seeds or seedlings;

V – suspension of registration in Renasem;

VI – cancellation of registration in Renasem.

Sole paragraph. The fine shall be equal to up to 250% (two hundred fifty percent) of the commercial value of the inspected product, when issued referring to production, processing or commercialization.

Art. 44. The technician in charge, sampler or certifier that fails to comply with the provisions of this Law shall be subject to the following penalties, individually or cumulatively, as provided for in the regulations of this Law:

I - warning;

II - fine;

III – suspension of accreditation;

IV – cancellation of accreditation.

Sole paragraph. Without affecting the above provisions of this article, the inspecting agency shall be required to report possible occurrences immediately to the respective Regional Board of Engineering, Architecture and Agronomy (Crea).

CHAPTER XIV

FINAL PROVISIONS

Art. 45. Seeds produced in compliance with the provisions of the introduction of art. 24 and named in accordance with the introduction of art. 22 may be commercialized with the designation "inspected seeds", for a maximum period of two (2) years, as of this Law's publication date.

Art. 46. Revenue from the collection referred to in articles 9 and 17 shall go towards the Federal Agricultural Fund, in conformity with prevailing legislation, and applied in the performance of services dealt with by this Law, according to its regulations.

Art. 47. MAPA shall be authorized to establish specific mechanisms and, when appropriate, exceptions to the provisions of this Law, for regulation of the production and trade of forest, native or exotic species, or of medicinal or environmental interest, as well as for the other species referred to in the sole paragraph of art. 24.

Art. 48. Observing the other requirements of this Law, it is prohibited to establish restrictions to the inclusion of seeds and seedlings of a local, traditional or native cultivar in financing programs or in public seed distribution or exchange programs, conducted with family farmers.

Art. 49. MAPA shall establish the mechanisms for coordinating and conducting the activities provided for in this Law.

Art. 50. The Executive Branch shall regulate this Law within ninety (90) days as of its publication date.

Art. 51. This Law shall go into effect ninety (90) days after its publication date.

Art. 52. Law nº 6.507, of December 19, 1977, is hereby revoked.

Brasília, August 5, 2003; 182nd year of Independence and 115th year of the Republic.

LUIZ INÁCIO LULA DA SILVA

Roberto Rodrigues

Attachment 2 - General Phytosanitary Requirements For All Origins That Traditionally Export to Brazil

These requirements are applicable to commodities traditionally imported into Brazil from origins lacking specific phytosanitary requirements.

Definitions and Abbreviations:

AO – Official Assessment

CF – Official Certificate

DQ – Quarantine Repository

IF – Phytosanitary Inspection

QPE – Post-Entry Quarantine

SI – Import Request

T – Treatment

DA1 – “The (shipment, plants, nursery, seed plots, region, production area, lot, etc.) is/are pest-free”.

DA2 – “The (shipment, seeds, etc.) was/were treated with (treatment product, product concentration, time) to eliminate (pest name/s) under official supervision”, and the treatment proved efficient in respect to the pests listed.

DA3 – “Regulated non-quarantine pests: according to the official assessment, the commodity lot did not display more than (%) percent of pests”.

DA4 – “The (nursery, (seeds, plots), seed plots) that originated the (plants, stocks, stalks, germs, cutting, bulbs, seeds, etc.) is/are certified under an official certifying system (that is accepted) recognized (by the authorities in importing country).

DA5 – “The (crop, nursery, seed plots, production area, etc.) was/were officially inspected during (period) and found pest free”.

DA6 – “The (plants, stocks, stalks, seedlings, germs) were assessed according to the appropriate indicators and/or equivalent methods and was/were found to be free from (pest/s)”.

DA7 – “The (commodity, nursery, seed plots, etc.) was/were (cultivated/ carried out) in (an area recognized () by the phytosanitary authorities in importing country) as (an area) free from (pest/s) according to Standard 3.2 Guidelines for (the) Recognition of Pest-Free Areas”.

DA8 – “In (country) (pest name) is/are not present”.

DA9 – “In production area or its immediate surroundings (radius) symptoms of (pest name) infection/infestation have not been detected since (period)”.

DA10 – “Vegetatively propagated plants were produced according to a phytosanitary certification scheme for (pest name) approved by (national phytosanitary authority) that employs the appropriate indicators and/or equivalent methods and were found to be free from said pests”.

DA11 – “Vegetatively propagated plants originated from parent plant material that was maintained under appropriate conditions and subject to at least one official assessment for (pest name) in (period), according to the appropriate indicators and/or equivalent methods and were found to be free from said pests ”.

DA12 – “The material (plants, stocks, stalks, germs, etc.) must come from transit Quarantine Stations (in third countries)”.

- DA13 – “Parent plants originating the material have been indexed and are free from seed transmitted pests (sexual/asexual)”.
- DA14 – “The shipment does not display quarantine risks in respect to (pest name/s) as a result of the application of an officially supervised integrated risk reducing system agreed upon with the importing country under protocol No. ()”.
- DA15 – “The shipment is free from: (pest name/s) according to official lab test results”.
- R11 – “The (plants, bulbs, etc.) must be free from earth and substrates, but may be protected by an inert substrate. The Phytosanitary Certificate must indicate substrate type and the treatment applied”.

The parentheses used above mean that the phytosanitary requirement may or may not apply, as a result of the phytosanitary inspection.

Allium cepa

CATEGORY 4	CATEGORY 3	CATEGORY 2
General requirements:		
SI, CF, IF, DQ, AO, (T), (QPE)	CF, IF, (AO), (DQ), (T)	CF, IF, (AO), (DQ), (T)
Specific requirements:		
	DA7 or DA1/ shipment, <i>Dyspessa ulula</i>, <i>Brachycerus spp.</i>	

Allium sativum

CATEGORY 4	CATEGORY 3	CATEGORY 2
CLASS 2: BULBS, TUBERS and ROOTS	CLASS 1: PLANTS <i>in vitro</i>	CLASS 4: FRUIT AND VEGETABLES
CLASS 10: OTHERS		
General requirements:		
SI, CF, IF, DQ, AO, (T), (QPE)	CF, IF, (AO), (DQ), (T)	CF, IF, (AO), (DQ), (T)
Specific requirements		
DA7 or DA5, <i>Brachycerus spp.</i>, <i>Dyspessa ulula</i>, <i>Phymatotrichopsis omnivora</i>. and DA5 or DA1/nursery or DA15, <i>Ditylenchus destructor</i>.		DA7 or DA1/shipment, <i>Brachycerus spp.</i>, <i>Dyspessa ulula</i>.

Ananas comosus

CATEGORY 4	CATEGORY 3
CLASS 1: PLANTS	CLASS 4: FRUIT AND VEGETABLES
General requirements:	
SI, CF, IF, DQ, AO, (T), (QPE), R11	CF, IF, (AO), (DQ), (T)
Brazil specific requirements:	
DA7 or DA5, <i>Parasa lepida</i>.	DA7 or DA14, <i>Bactrocera</i> spp., <i>Dacus</i> spp. and DA7 or DA1/shipment, <i>Parasa lepida</i>.

Avena sativa.

CATEGORY 4	CATEGORY 3	CATEGORY 1
CLASS 3: SEEDS	CLASS 9: GRAIN	CLASS 10: OTHERS
General requirements:		
SI, CF, IF, DQ, AO, (T), (QPE)	CF, IF, (AO), (DQ), (T)	IF, (T)
Brazil specific requirements:		
DA2 N° 1, <i>Trogoderma granarium</i> AND DA7 or DA5, <i>Striga</i> spp. and DA7 or DA5 or DA15, <i>Anguina tritici</i>, <i>Cirsium arvense</i>, <i>Ditylenchus dipsaci</i>, <i>Taeniatherum caput-medusae</i>.	DA2 N° 1, <i>Trogoderma granarium</i> And also for Animal feed: DA7 or DA1/shipment, <i>Anguina tritici</i>, <i>Cirsium arvense</i>, <i>Ditylenchus dipsaci</i>, <i>Taeniatherum caput-medusae</i> and DA7 or DA15, <i>Striga</i> spp.	

Brassica napus var. *oleifera*

CATEGORY 4	CATEGORY 3	CATEGORY 2
CLASS 3: SEEDS	CLASS 9: GRAIN	CL.10: OTHERS (PELLETS)
General requirements:		
SI, CF, IF, DQ, AO, (T), (QPE)	CF, IF, (AO), (DQ), (T)	CF, IF, (AO), (DQ), (T)

Brazil specific requirements:		
DA7 or DA5 or DA15, <i>Cirsium arvense</i> .	DA1/ shipment, <i>Cirsium arvense</i> .	

Capsicum annum

CATEGORY 4	CATEGORY 3	CATEGORY 2
CLASS 3: SEEDS	CLASS 4: FRUIT AND VEGETABLES	CLASS 10: OTHERS
General requirements:		
SI, CF, IF, DQ, AO, (T), (QPE)	CF, IF, (AO), (DQ), (T)	CF, IF, (AO), (DQ), (T)
Specific requirements		
DA5 or DA15, <i>Ditylenchus dipsaci</i> .	DA7 or DA14, <i>Bactrocera</i> spp., <i>Dacus</i> spp., <i>Anastrepha suspensa</i> and DA7 or DA1/shipment, <i>Anthonomus eugenii</i> , <i>Thrips palmi</i> .	

***Coffea* spp.**

CATEGORY 4		CATEGORY 3	CATEGORY 2
CLASS 1: PLANTS	CLASS 3: SEEDS	CLASS 9: GRAIN	CLASS 10: OTHERS (dry seed)
General requirements:			
SI, CF, IF, DQ, AO, (T), (QPE)	SI, CF, (CFO), (DA), IF, DQ, (AO), (T)	CF, IF, (AO), (DQ), (T)	CF, IF, (AO), (DQ), (T)
Brazil specific requirements:			
DA7 or DA2 (No.21) or DA1 /shipment, <i>Planococcus</i> <i>lilacinus</i>, <i>Planococcoides</i> <i>njalensis</i> and DA7 or DA5, <i>Cephonodes hylas</i>, <i>Leucoptera</i> <i>meyricki</i>, <i>Parasa</i>	DA7 or DA5, <i>Colletotrichum</i> <i>coffeanum</i> var. <i>virulans</i>, <i>Glomerella</i> <i>cingulata</i>, <i>Hemileia</i> <i>coffeicola</i>, <i>Sophronica</i> <i>ventralis</i>.	DA2 (No.22 or 23) or DA1 /shipment, <i>Sophronica</i> <i>ventralis</i>. and DA7 or DA15, <i>Colletotrichum</i> <i>coffeanum</i> var. <i>virulans</i>, <i>Gibberella</i>	DA1 /shipment, <i>Sophronica</i> <i>ventralis</i>.

<i>lepida, Anthores leuconotus, Bixadus sierricola, Plocaederus ferrugineus, Sophronica ventralis, Xylosandrus compactus, Colletotrichum coffeanum</i> var. <i>virulans, Gibberella xylarioides, Glomerella cingulata, Hemileia coffeicola, Aleurocanthus woglumi.</i>		<i>xylarioides, Glomerella cingulata, Hemileia coffeicola.</i>	
---	--	--	--

Cucumis melo

CATEGORY 4	CATEGORY 3	CATEGORY 1
CLASS 3: SEEDS	CLASS 4: Fruit and vegetables	CLASS 10: OTHERS
General requirements:		
SI, CF, IF, DQ, AO, (T), (QPE)	CF, IF, (AO), (DQ), (T)	IF, (T)
Brazil specific requirements:		
	DA7 or DA1/ shipment, <i>Thrips palmi</i> and DA7 or DA14, <i>Bactrocera</i> spp., <i>Dacus</i> spp.	

***Fragaria* spp.**

CATEGORY 4	CATEGORY 3	CATEGORY 1
CLASS 1: PLANTS	CLASS 4: FRUIT AND VEGETABLES	CLASS 10: OTHERS
General requirements:		
SI, CF, IF, DQ, AO, (T), (QPE) (1 ano), R11	CF, IF, (AO), (DQ), (T)	IF, (T)
Brazil specific requirements:		
<u>Plants:</u>		

DA4 and DA7 or DA5, <i>Otiorhynchus sulcatus</i>, <i>Phymatotrichopsis omnivora</i> and DA7 or DA10, <i>Erwinia amylovora</i> and DA5 or DA15, <i>Pratylenchus fallax</i>. <u>In vitro:</u> DA13.	DA1/shipment, <i>Otiorhynchus sulcatus</i>,	
---	--	--

Glycine max

CATEGORY 4	CATEGORY 3	CATEGORY 2
CLASS 3: SEEDS	CLASS 9: GRAIN	CLASS 10: OTHERS
General requirements:		
SI, CF, IF, DQ, AO, (T), (QPE)	CF, IF, (AO), (DQ), (T)	CF, IF, (AO), (DQ), (T)
Brazil specific requirements:		
DA2 (No.1), <i>Trogoderma granarium</i> and DA7 or DA5, <i>Phytophthora megasperma f. sp. glycinea</i>.	DA2(No.1) <i>Trogoderma granarium</i>.	DA2(No.1), <i>Trogoderma granarium</i>.

***Gossypium* spp.**

CATEGORY 4	CATEGORY 3	CATEGORY 2
CLASS 3: SEEDS	CLASS 10: OTHERS (Raw cotton)	CLASS 10: OTHERS (Cakes and Pellets)
General requirements:		
SI, CF, IF, DQ, AO, (T), (QPE)	CF, IF, (AO), (DQ), (T)	CF, IF, (AO), (DQ), (T)
Brazil specific requirements:		
DA7 or (DA2 No. 24 or 25), <i>Anthonomus vestitus</i> and DA1/shipment, <i>Lygus</i>	DA7 or (DA2 No. 24 or 25), <i>Anthonomus vestitus</i> and DA1/shipment, <i>Agrotis</i>	DA2 (N° 1), <i>Trogoderma granarium</i>.

spp. (species that attack cotton), <i>Pectinophora scutigera</i> and DA2 (No. 1) , <i>Trogoderma granarium</i> and DA7 or DA5 , <i>Polyspora lini</i> .	<i>segetum</i>, <i>Earias biplaga</i>, <i>Earias insulana</i>, <i>Lygus</i> spp., <i>Pectinophora scutigera</i> and DA2 (N° 1), <i>Trogoderma granarium</i>. Para Algodão em rama además: CF: DA1/shipment, <i>Polyspora lini</i>, <i>Maconellicoccus hirsutus</i>, <i>Heliothis armigera</i> and DA2 (N° 15) or DA1/shipment, <i>Tetranychus pacificus</i>.	
--	---	--

Helianthus annuum

CATEGORY 4	CATEGORY 3	CATEGORY 2
CLASS 3: SEEDS	CLASS 9: GRAIN	CLASS 10: OTHERS (CAKES and PELLETS)
General requirements:		
SI, CF, IF, DQ, AO, (T), (QPE)	CF, IF, (AO), (DQ), (T)	CF, IF, (AO), (DQ), (T)
Brazil specific requirements:		
DA2 N° 1, <i>Trogoderma granarium</i> and DA7 or DA5 or DA15 , <i>Cirsium arvense</i> and DA7 or [DA5 + DA2 No. 2], <i>Plasmopara halstedii</i> (except strain 2).	DA2 N° 1, <i>Trogoderma granarium</i>.	DA2 N° 1, <i>Trogoderma granarium</i>.

Hordeum vulgare

CATEGORY 4	CATEGORY 3		CATEGORY 1
CLASS 3: SEEDS	CLASS 9: GRAIN	CLASS 10: BALES	CLASS 10: OTHERS
General requirements:			
SI, CF, IF, DQ, AO, (T), (QPE)	CF, IF, (AO), (DQ), (T)		IF, (T)

Brazil specific_requirements:			
DA2 N° 1, <i>Trogoderma granarium</i> and DA7 or DA5 or DA15, <i>Anguina agrostis</i>, <i>Anguina tritici</i>, <i>Cirsium arvense</i>, <i>Taeniatherum caput-medusae</i>, and DA7 or DA5, <i>Striga</i> spp.	DA2 N° 1, <i>Trogoderma granarium</i> and also for Animal Feed: DA7 or DA1/shipment, <i>Anguina agrostis</i>, <i>A. tritici</i>, <i>Cirsium arvense</i>, <i>Taeniatherum caput-medusae</i> and DA7 or DA15, <i>Striga</i> spp.	DA2 N° 1, <i>Trogoderma granarium</i> and DA7 or DA1/shipment, <i>Anguina agrostis</i>, <i>A. tritici</i>, <i>Cirsium arvense</i>, <i>Taeniatherum caput-medusae</i> and DA7 or DA15, <i>Striga</i> spp.	

Lolium multiflorum

CATEGORY 4
CLASS 3: SEEDS
General requirements:
SI, CF, IF, DQ, AO, (T), (QPE)
Brazil specific requirements:
DA2 N° 1, <i>Trogoderma granarium</i> and DA7 or DA5 or DA15, <i>Anguina agrostis</i>, <i>Tilletia controversa</i>, <i>Tilletia indica</i>, <i>Cirsium arvense</i>

Lotus corniculatus

CATEGORY 4
CLASS 3: SEEDS
General requirements:
SI, CF, IF, DQ, AO, (T), (QPE)
Brazil specific requirements:
DA2 N° 1, <i>Trogoderma granarium</i> and DA5 or DA15, <i>Ditylenchus dipsaci</i> and DA7 or DA5 or DA15, <i>Cirsium arvense</i> and DA7 or DA5, <i>Clavibacter michiganensis</i> ssp. <i>insidiosus</i>.

Lycopersicon esculentum

CATEGORY 4	CATEGORY 3
CLASS 3: SEEDS	CLASS 4: Fruit and vegetables
General requirements:	
SI, CF, IF, DQ, AO, (T), (QPE)	CF, IF, (AO), (DQ), (T)
Specific requirements	
DA5 or DA15 , <i>Fusarium oxysporum</i> f. sp. <i>radicis - lycopersici</i> , and DA15 , Tomato bunchy top viroid (PSTV), Tomato ringspot virus..	DA7 or DA14 , <i>Bactrocera</i> spp., <i>Dacus</i> spp., <i>Anastrepha suspensa</i> , <i>Ceratitis rosa</i> and DA7 or DA1 , <i>Thrips palmi</i> , <i>Leucinodes orbonalis</i> , <i>Othreis fullonia</i> .

Malus sylvestris

CATEGORY 4	CATEGORY 3	CATEG. 2
CLASS 1: PLANTS	CLASS 4: FRUIT AND VEGETABLES	CLASS 10: OTHERS
CF, IF, (AO), (DQ), (T)		
CF, IF, (AO), (DQ), (T)	CF, IF, (AO), (DQ), (T)	CF, IF, (AO) (DQ), (T)
Brazil specific requirements:		

<p>DA4 and/or DA11 or DA10, Apple chat fruit MLO, Apple proliferation MLO and DA7, <i>Erwinia amylovora</i> and DA7 or DA5, <i>Gymnosporangium</i> spp (species that attack maçã), <i>Phyllosticta solitaria</i>, <i>Nectria galligena</i>, <i>Phymatotrichopsis omnivora</i>, <i>Anthonomus pomorum</i>, <i>Anthonomus pyri</i>, <i>Conotrachelus nenuphar</i>, <i>Agrius convolvuli</i> and DA5 or DA15, <i>Xiphinema italiae</i> and DA7 or DA5 or DA2 (N° 4), <i>Brevipalpus lewisi</i>, <i>Tetranychus pacificus</i></p> <p><u>Stocks</u></p> <p>DA4 an/or similar requirements for Plants, except <i>Phymatotrichopsis omnivora</i> and the nematode</p> <p><u>In vitro</u></p> <p>DA13 and DA11 or DA10, Apple chat fruit MLO, Apple proliferation MLO</p>	<p>DA7 or [DA1/package + DA2 (N° 14 or 31)], <i>Erwinia amylovora</i> and DA7 or DA14, <i>Bactrocera</i> spp., (except <i>B. carambolae</i>, <i>B. dorsalis</i>, <i>B. tryoni</i>, <i>B. cucurbitae</i>), <i>Ceratitis rosa</i>, <i>Dacus</i> spp., <i>Gymnosporangium spp</i> (species that attack apples), <i>Phyllosticta solitaria</i> and DA7 or DA14 or DA2 (N° 7 or 11), <i>Bactrocera dorsalis</i>, <i>B. cucurbitae</i> and DA7 or DA14 or DA2 (N° 8 or 11), <i>Bactrocera tryoni</i> and DA7 or DA14 or DA2 (N° 10), <i>Anastrepha ludens</i> and DA7 or DA14 or DA2 (N° 9), <i>Anastrepha suspensa</i> and DA7 or DA14 or DA2 (N° 19 or 18), <i>Rhagoletis pomonella</i> and DA7 or DA2 (N° 15), <i>B. lewisi</i>, <i>Tetranychus pacificus</i> and DA7 or DA2 (N° 17 or 18), <i>Conotrachelus nenuphar</i>. and DA7 or DA1/shipment, <i>Carposina niponensis</i>, <i>Cydia</i> spp., (except <i>C. pomonella</i> and <i>C. molesta</i>).</p>	
--	--	--

Medicago Sativa -	CATEGORY 4	CATEGORY 3	CATEGORY 2
CLASS: Seeds		CL.10: others (bales)	CL.10: others (pellets)
General requirements:			
SI, CF, IF, DQ, AO, (T), (QPE)	CF, IF, (AO), (DQ), (T)	CF, IF, (AO), (DQ), (T)	
Brazil specific requirements:			
DA2 N° 1 , <i>Trogoderma granarium</i> and DA7 or DA5 or DA15 , <i>Cirsium arvense</i> and DA7 or DA5 , <i>Clavibacter michiganensis</i> ssp. <i>Insidiosus</i>	DA7 or DA1 /shipment, <i>Cirsium arvense</i> and DA5 or DA15 , <i>Clavibacter michiganensis</i> ssp. <i>insidiosus</i>	DA2 N° 1 , <i>Trogoderma Granarium</i>	

Nicotiana tabacum

CATEGORY 4	CATEGORY 3	
CLASS 3: SEEDS	CLASS 10: OTHERS	CLASS 10: OTHERS
General requirements:		
SI, CF, IF, DQ, AO, (T), (QPE)	CF, IF, (AO), (DQ), (T)	CF, IF, (AO), (DQ), (T)
Specific requirements		
DA7 or DA5 , <i>Striga</i> spp. and DA5 or DA15 , <i>Ditylenchus dipsaci</i> .		

Oryza sativa

CATEGORY 4	CATEGORY 3	CATEGORY 2	CATEGORY 1
CLASS 3: SEEDS	CLASS 9: GRAIN CLASS 10: OTHERS (Rough rice)	CLASS 10: OTHERS (Bran)	CLASS 10: OTHERS (Polished rice)
General requirements:			
SI, CF, IF, DQ, AO, (T), (QPE)	CF, IF, (AO), (DQ), (T)	CF, IF, (AO), (DQ), (T)	IF, (T)
Brazil specific requirements:			
DA2 (N°1), <i>Trogoderma granarium</i> , <i>Prostephanus truncatus</i> and DA7 or DA5 , <i>Striga</i> spp. and DA5 or DA15 , <i>Ditylenchus angustus</i> and DA7 or DA5 or DA15 , <i>Xanthomonas campestris</i> pv. <i>oryzae</i> , <i>X.c.</i> pv. <i>oryzicola</i> and DA7 or DA15 , <i>Entyloma oryzae</i> , <i>Ephelis oryzae</i> ,	DA2 (N°1), <i>Trogoderma granarium</i> , <i>Prostephanus truncatus</i> For rough rice: DA7 or DA15 , <i>Striga</i> spp.		

<i>Gibberella fujikuroi</i> , <i>Helicoceras</i> spp., <i>Hendersonia oryzae</i> , <i>Oospora oryzetorum</i> , <i>Ophiobolus oryzinus</i> .			
---	--	--	--

Persea americana

CATEGORY 4		CATEGORY 3	CAT. 2
CLASS 1: PLANTS	CLASS 3: SEEDS	CLASS 4: FRUIT AND VEGETABLES	CLASS 10: OTHERS
General requirements:			
SI, CF, IF, DQ, AO, (T), (QPE), R11 (plants and cuttings)		CF, IF, (AO), (DQ), (T)	CF, IF, (AO), (DQ), (T)
Brazil specific requirements:			
<u>Plants and cuttings:</u> DA4 and/or DA7 or DA5 , Ceroplastes destructor , Maconellicoccus hirsutus , Phymatotrichopsis omnivora . <u>Stocks:</u> DA4 and/or similar requirements for Plants, except Phymatotrichopsis omnivora . <u>Plants in vitro:</u> DA13 (if any).		DA7 or DA14 , Ceratitis rosa , Anastrepha ludens , A. suspensa , Bactrocera spp. (species that attack avocados, except Bactrocera cucurbitae , Bactrocera tryoni) and DA7 or DA14 or DA2 Nos. (11 or 35) , Bactrocera cucurbitae , Bactrocera tryoni and DA7 or DA14 or DA15 , Maconellicoccus hirsutus .	

Phaseolus vulgaris

CATEGORY 4	CATEGORY 3	CATEGORY 3
CLASS 3: SEEDS	CL.4: FRUIT AND VEGETABLES	CLASS 9: GRAIN
General requirements:		
SI, CF, IF, DQ, AO, (T), (QPE)	CF, IF, (AO), (DQ),	CF, IF, (AO), (DQ),

	(T)	(T)
Brazil specific requirements:		
DA2 N° 1, <i>Trogoderma granarium</i> and DA7 or DA5 or DA15, <i>Cirsium arvense</i> , <i>Pseudomonas syringae</i> pv. <i>phaseolicola</i> and DA7 or DA5, <i>Curtobacterium flaccumfaciens</i> pv. <i>flaccumfaciens</i> .	DA1/ shipment, <i>Lampides boeticus</i> , <i>Medythia quaterna</i> , <i>Ootheca</i> spp.	DA2 N° 1, <i>Trogoderma granarium</i> .

Pisum sativum

CATEGORY 4	CATEGORY 3		CAT. 2	CAT. 1
CLASS 3: SEEDS	CLASS GRAIN 9:	CLASS 4: FRUIT AND VEGETABLES	CLASS 10: OTHERS	CLASS 10: OTHERS
General requirements:				
SI, CF, IF, DQ, AO, (T), (QPE)	CF, IF, (AO), (DQ), (T)	CF, IF, (AO), (DQ), (T)	CF, IF, (AO), (DQ), (T)	DP, IF
Brazil specific requirements:				
DA2 N°1, <i>Trogoderma</i> spp. and DA5, Pea seed born mosaic virus.	DA2 N° 1, <i>Trogoderma</i> spp.	DA7 or DA1/ shipment <i>Lampides boeticus</i> , <i>Leucinodes orbonalis</i>		

Prunus avium

CATEGORY 4	CATEGORY 3	CAT. 2
CLASS 1: PLANTS	CLASS 3: SEEDS	CLASS 4: FRUIT and VEGETABLES
General requirements:		
SI, CF, IF, DQ, AO, (T), (QPE in plants) , R11(in plants)	CF, IF, (AO), (DQ), (T)	CLASS 10: OTHERS
Brazil specific requirements:		
<u>Plants and cuttings:</u>		
DA4 and/or	DA7 or DA14, <i>Bactrocera</i> spp. (species that attack	

<p>DA11 or DA10, Peach rosette MLO, Plum pox virus, Prune dwarf virus, Prunus necrotic ringspot virus, Tomato ringspot virus and</p> <p>DA7 or DA5, <i>Anarsia lineatella</i>, <i>Conotrachelus nenuphar</i>, <i>Hyphantria cunea</i>, <i>Lymantria monacha</i>, <i>Zeuzera pyrina</i>, <i>Apiosporina morbosa</i>, <i>Phymatotrichopsis omnivora</i> and</p> <p>DA5 or DA15, <i>Xiphinema italiae</i>.</p> <p><u>Stocks:</u></p> <p>DA4 and/or similar requirements for Plants, except <i>Phymatotrichopsis omnivora</i> and <i>Xiphinema italiae</i>.</p> <p><u>Plants in vitro:</u></p> <p>DA13 and</p> <p>DA11 or DA10, Peach rosette MLO, Plum pox virus, Prune dwarf virus, Prunus necrotic ringspot virus, Tomato ringspot virus.</p>		<p>sweet cherries, except <i>B. Tryoni</i>), <i>Dacus</i> spp. (species that attack sweet cherries), <i>Rhagoletis cingulata</i> and</p> <p>DA7 or DA14 or DA2 N° 8, <i>B. Tryoni</i> and</p> <p>DA7 or DA2 N° 18, <i>Conotrachelus nenuphar</i> and</p> <p>DA7 or DA1/shipment, <i>Anarsia lineatella</i>, <i>Cydia</i> spp. (species that attack sweet cherries, except <i>C. Molesta</i>).</p>	
--	--	--	--

Prunus domestica

CATEGORY 4		CATEGORY 3	CAT. 2
CLASS 1: PLANTS	CLASS 3: SEEDS	CLASS 4: FRUIT and VEGETABLES	CLASS 10: OTHERS
General requirements:			
SI, CF, IF, DQ, AO, (T), (QPE in plants), R11(in plants)		CF, IF, (AO), (DQ), (T)	CF, IF, (AO), (DQ), (T)
Brazil specific requirements:			
<p><u>Plants and cuttings:</u></p> <p>DA4 and/or</p> <p>DA11 or DA10, Peach yellows MLO, Peach rosette MLO, Plum pox virus, Prune dwarf virus, Prunus necrotic ring spot virus, Tomato ringspot virus and</p> <p>DA7, <i>Erwinia amylovora</i> and</p>		<p>DA7 or DA14, <i>Bactrocera</i> spp. (species that attack plums), <i>Ceratitis rosa</i>, <i>Dacus</i> spp. (species that attack plums) and</p> <p>DA7 or DA14 or DA2 N° (7 or 11), <i>B. dorsalis</i> and</p>	

<p>DA7 or DA5, <i>Apiosporina morbosa</i>, <i>Phymatotrichopsis omnivora</i>, <i>Anarsia lineatella</i>, <i>Anthonomus pomorum</i>, <i>Conotrachelus nenuphar</i>, <i>Cossus cossus</i>, <i>Cryptophlebia leucotreta</i>, <i>Lobesia botrana</i>, <i>Lymantria dispar</i> and DA5 or DA15, <i>Xiphinema italiae</i> and DA7 or DA5 or DA2 (N° 4), <i>Tetranychus pacificus</i>.</p> <p><u>Stocks:</u></p> <p>DA4 and/or Requirements iguais para Plants, except <i>Phymatotrichopsis omnivora</i> and the nematode.</p> <p><u>Plants in vitro:</u></p> <p>DA13 and DA11 or DA10, Peach yellows MLO, Peach rosette MLO, Plum pox virus, Prune dwarf virus, Prunus necrotic ring spot virus, Tomato ringspot virus.</p>		<p>DA7 or DA2 (N° 15), <i>Tetranychus pacificus</i> and DA7 or DA2 (N° 28), <i>Cryptophlebia leucotreta</i> and DA7 or DA2 (N° 18), <i>Conotrachelus nenuphar</i> and DA7 or DA1/shipment, <i>Anarsia lineatella</i>, <i>Carposina niponensis</i>, <i>Cydia</i> spp. (species that attack plums, except <i>C. molesta</i>), <i>Lobesia botrana</i> and DA7 or DA14 or DA2 (N° 10) <i>Anastrepha ludens</i>.</p>	
--	--	--	--

Prunus persica

CATEGORY 4		CATEGORY 3	CATEG. 2
CLASS 1: PLANTS	CLASS 3: SEEDS	CLASS 4: FRUIT AND VEGETABLES	CLASS 10: OTHERS
General requirements:			
SI, CF, IF, DQ, AO, (T), (QPE), R11	SI, CF (CFO) (CI)IF(DA) (DQ) (AO) (T) (QPE)	CF, IF, (AO), (DQ), (T)	CF, IF, (AO), (DQ), (T)
Specific requirements			
<u>Plants and cuttings:</u> DA4		DA7 or DA14 or DA2 (N°18), Rhagoletis	

<p>and DA11 or DA10, Peach rosette MLO, Peach yellows MLO, Plum pox virus, Prunus necrotic ring spot virus, and DA7 or DA10, <i>Xylella fastidiosa</i> and DA7 or DA5, <i>Apiosporina morbosa</i>, <i>Phymatotrichopsis omnivora</i>, <i>Conotrachelus nenuphar</i>, <i>Agrius convolvuli</i>, <i>Anarsia lineatella</i> and DA5 or DA15, <i>Pratylenchus scribneri</i>, <i>Pratylenchus vulnus</i>, <i>P. falax</i> and DA7 or DA5 or DA2 (N°4), <i>Brevipalpus lewisi</i>, <i>Tetranychus pacificus</i>.</p>		<p><i>pomonella</i> and DA7 or DA14 or DA2 (N°10), <i>Anastrepha ludens</i> and DA7 or DA14 or DA2 (N°9), <i>Anastrepha suspensa</i> and DA7 or DA14 or DA2 (N°8), <i>Bactrocera tryoni</i> and DA7 or DA14, <i>Bactrocera</i> spp. (except <i>B. tryoni</i>), <i>Dacus</i> spp., <i>Ceratitidis rosa</i> and DA7 or DA2 (N°15), <i>Brevipalpus lewisi</i>, <i>Tetranychus pacificus</i> and DA7 or DA2 (N°18), <i>Conotrachelus nenuphar</i> and DA7 or DA1, <i>Carposina niponensis</i>, <i>Cydia</i> spp. (except <i>C. pomonella</i> y <i>C. molesta</i>), <i>Anarsia lineatella</i>.</p>	
<p>Stocks:</p> <p>Similar requirements for Plants, except <i>Phymatotrichopsis omnivora</i> and nematodes.</p> <p><u>In vitro:</u></p> <p>DA13 and DA11 or DA10, Peach rosette MLO, Peach yellows MLO, Plum pox virus, Prunus necrotic ring spot virus.</p>			

Pyrus communis

CATEGORY 4	CATEGORY 3	CATEG.
------------	------------	--------

		2
CLASS 1: PLANTS	CLASS 4: FRUIT AND VEGETABLES	CLASS 10: OTHERS
General requirements:		
SI, CF, IF, DQ, AO, (T), (QPE), R11(em plants and cuttings)	CF, IF, (AO), (DQ), (T)	CF, IF, (AO), (DQ), (T)
Brazil specific requirements:		

Plants and cuttings**DA4**

and/or

DA11 or **DA10**, Pear decline
MLO

and

DA7, *Erwinia amylovora*

and

DA7 or **DA5**,
Gymnosporangium spp.
(species that attack pear
trees), *Conotrachelus**nenuphar*, *Phymatotrichopsis*
omnivora, *Nectria galligena*,*Anthonomus pomorum*,*Anthonomus pyri*, *Agrius**convolvuli*, *Anarsia lineatella*,*Cryptophlebia leucotreta*,*Aleurocanthus woglumi*, *A.**spiniferus*, *Lobesia botrana*

and

DA5 or **DA15**, *Pratylenchus*
vulnus, *P. thornei*, *Xiphinema*
italiae

and

DA7 or **DA5** or **DA2 (N° 4)**,
Brevipalpus lewisi, *Tetranychus*
*pacificus*Stocks:**DA4** and/or similar
requirements for plants, except
Phymatotrichopsis omnivora,
Nectria galligena and the
nematodes.In vitro:**DA13**

and

DA11 or **DA10**, Pear decline**DA7** or [**DA1**/embalagem +
DA2 (N° 14)], *Erwinia*
amylovora

and

DA7 or **DA14**, *Bactrocera* spp.,(except *B. carambolae*, *B.**dorsalis* *B. cucurbitae*, *B.**tryoni*), *Dacus* spp.,*Gymnosporangium* spp (species

that attack pears),

and

DA7 or **DA14** or **DA2 (N° 28)**,*Ceratitis rosa*

and

DA7 or **DA14** or **DA2 (N° 19** or**18)**, *Rhagoletis pomonella*

and

DA7 or **DA14** or **DA2 (N° 7** or**11)**, *Bactrocera dorsalis*, *B.**cucurbitae*

and

DA7 or **DA14** or **DA2 (N° 8** or**11)**, *Bactrocera tryoni*

and

DA7 or **DA14** or **DA2 (N° 10)**,*Anastrepha ludens*

and

DA7 or **DA14** or **DA2 (N° 9)***Anastrepha suspensa*

and

DA7 or **DA2 (N° 15)**,*Brevipalpus lewisi*, *Tetranychus**pacificus*

and

DA7 or **DA2 (N° 28)**,*Cryptophlebia leucotreta*

and

DA7 or **DA2 (N° 20)**, *Anarsia**lineatella*,

and

DA7 or **DA2 (N° 18)**,*Conotrachelus nenuphar*

MLO	and DA7 or DA1/ shipment, <i>Carposina niponensis</i> , <i>Cydia</i> <i>spp.</i> , (except <i>C. pomonella</i> and <i>C. molesta</i>), <i>Lobesia botrana</i>	
-----	--	--

Solanum Tuberosum

CATEGORY 4			CATEGORY 3
CLASS 2: Bulbs, roots and tubers	CLASS 3: SEEDS	CLASS 1: PLANTS <i>in vitro</i>	CLASS 4: Fruit and vegetables
General requirements:			
SI, CF, IF, DQ, AO, (T), (QPE), R11 (in tubers).			CF, IF, (AO), (DQ), (T)
Brazil specific requirements:			
DA4 and/or DA7 or DA5 , <i>Epicaerus cognatus</i> , <i>Premnotrypes</i> spp., <i>Leptinotarsa decemlineata</i> and DA7 or DA5 or DA15 , <i>Phoma exigua</i> var. <i>foveata</i> , <i>Phymatotrichopsis omnivora</i> , <i>Phytophthora erythroseptica</i> , <i>Polycystum pustulans</i> , <i>Synchytrium endobioticum</i> , <i>Clavibacter michiganensis</i> ssp. <i>sepedonicus</i> and DA5 or DA15 , <i>Ditylenchus destructor</i> , <i>D. dipsaci</i> , <i>Globodera pallida</i> , <i>G. rostochiensis</i> , <i>Meloidogyne chitwoodii</i> , <i>Nacobbus aberrans</i> , <i>Pratylenchus scribneri</i> and DA15 , <i>Angiosorus solani</i> and DA7 or DA15 , Potato spindle tuber viroid (PSTV).	DA4 and/or DA7 or DA15 , Potato spindle tuber viroid (PSTV).	DA13 or DA7 or DA15 , Potato spindle tuber viroid (PSTV)	[DA7 or DA1/shipment, <i>Epicaerus cognatus</i>, <i>Premnotrypes</i> spp, <i>Leptinotarsa decemlineata</i>, and TCM N°29] or [DA7 or DA1/shipment, <i>Epicaerus cognatus</i>, <i>Premnotrypes</i> spp, <i>Leptinotarsa decemlineata</i>, and TCM N°30] or [DA7 or DA1/shipment, <i>Epicaerus cognatus</i>, <i>Premnotrypes</i> spp, <i>Leptinotarsa decemlineata</i>, and <i>DA7</i> or <i>DA5</i> or <i>DA15</i>, <i>Phoma exigua</i> var. <i>foveata</i>, <i>Phymatotrichopsis omnivora</i>, <i>Phytophthora erythroseptica</i>, <i>Polycystum pustulans</i>, <i>Synchytrium endobioticum</i>, <i>Clavibacter michiganensis</i> ssp. <i>sepedonicus</i>

			and DA5 or DA15, Ditylenchus destructor, D. dipsaci, Globodera pallida, G. rostochiensis, Meloidogyne chitwoodii, Nacobbus aberrans, Pratylenchus scribneri and DA15, Angiosorus solani and DA7 or DA15, Potato spindle tuber viroid (PSTV)]
--	--	--	--

Sorghum vulgare

CATEGORY 4	CATEGORY 3	CATEGORY 1
CLASS 3: SEEDS	CLASS 9: GRAIN	CL.10: OTHERS (FLOUR)
General requirements:		
SI, CF, IF, DQ, AO, (T), (QPE)	CF, IF, (AO), (DQ), (T)	IF, (T)
Brazil specific requirements:		
DA2 N° 1, <i>Trogoderma granarium</i>, <i>Prostephanus truncatus</i> and DA7 or DA5 or DA15, <i>Cirsium arvense</i>, and DA7 or DA5, <i>Periconia circinata</i>, <i>Striga</i> spp.	DA2 N° 1, <i>Trogoderma granarium</i>, <i>Prostephanus truncatus</i> and DA7 or DA15 (Animal feed), <i>Periconia circinata</i>, <i>Striga</i> spp. and DA7 or DA1/shipment (Animal feed), <i>Cirsium arvense</i>.	

Theobroma cacao

CATEGORY 4	CATEGORY 2	CATEGORY 1
CLASS 3: SEEDS	CLASS 10: OTHERS (Almonds)	CLASS 10: OTHERS (Paste)
General requirements:		
SI, CF, IF, DQ, AO, (T), (QPE)	CF, IF, (AO), (DQ), (T)	IF, (T)
Brazil specific requirements:		

DA7, <i>Moniliophthora roreri</i>, <i>Oncobasidium theobromae</i> and DA4 or [DA5 + DA15], Swollen shoot virus.	DA7 or DA15, <i>Moniliophthora roreri</i>, <i>Oncobasidium theobromae</i>	
--	--	--

Trifolium spp.

CATEGORY 4
CLASS 3: SEEDS
General requirements:
SI, CF, (CFO), (CI), (DA), IF
Brazil specific requirements:
DA2 N° 1, <i>Trogoderma granarium</i> and DA7 or DA5 or DA15, <i>Cirsium arvense</i> and DA7 or DA5, <i>Clavibacter michiganensis</i> ssp. <i>insidiosus</i> and DA5 or DA15, <i>Ditylenchus dipsaci</i>, Tomato ringspot virus.

Triticum aestivum x *Secale cereale*.

CATEGORY 4	CATEGORY 3	CATEG. 2	CATEG. 1
CLASS 3: SEEDS	CLASS 9: GRAIN	CL.10: OTHERS (bran)	CL.10:OTH ERS (Flour)
General requirements:			
SI, CF, IF, DQ, AO, (T), (QPE)	CF, IF, (AO), (DQ), (T)	CF, IF, (AO), (DQ), (T)	DP, IF
Brazil specific requirements:			
DA2 N° 1, <i>Trogoderma granarium</i> and DA7 or DA5 or DA15, <i>Anguina tritici</i>, <i>Cirsium arvense</i>, <i>Tilletia indica</i> and DA7 or DA5, <i>Striga</i> spp.	DA2 N° 1, <i>Trogoderma granarium</i> and DA7 or DA15, <i>Striga</i> spp.		

Triticum spp.

CATEGORY 4	CATEGORY 3	CATEG. 2	CATEG. 1
CLASS 3: SEEDS	CLASS 9: GRAIN	CL.10: OTHERS (bran)	CL.10: OTHERS (Flour)
General requirements:			
SI, CF, IF, DQ, AO, (T), (QPE)	CF, IF, (AO), (DQ), (T)	CF, IF, (AO), (DQ), (T)	DP, IF
Brazil specific requirements:			
DA2 N° 1 , <i>Trogoderma granarium</i> , <i>Prostephanus truncatus</i> and DA7 or DA5 or DA15 , <i>Anguina tritici</i> , <i>Cirsium arvense</i> , <i>Tilletia indica</i> , <i>Alternaria tritricina</i> , <i>Hymenula cerealis</i> , and DA7 or DA5 , <i>Clavibacter iranicus</i> , <i>Clavibacter tritici</i> , <i>Striga</i> spp.	DA2 N° 1 , <i>Trogoderma granarium</i> , <i>Prostephanus truncatus</i> and DA7 or DA15 , <i>Striga</i> spp.		

Vitis vinifera

CATEGORY 4	CATEGORY 3	CATEG. 2
CLASS 1: PLANTS	CL.4: FRUIT AND VEGETABLES	CL. 10: OTHERS
General requirements:		
SI, CF, IF, DQ, AO, (T), (QPE), R11	CF, IF, (AO), (DQ), (T)	CF, IF, (AO), (DQ), (T)
Specific requirements		
<u>Plants and cuttings:</u> DA4 and DA11 or DA10 , Grapevine flavescente doreé MLO , Tomato ring spot virus and DA7 or DA5 , <i>Alternaria vitis</i> , <i>Phymatotrichopsis omnivora</i> ,	DA7 or DA14 o DA2 (N° 8), <i>Bactrocera tryoni</i> and DA7 or DA14 , <i>Ceratitis rosa</i> , and DA7 or DA14 (N°15),	

<p><i>Xylophilus ampelinus</i>, <i>Physopella ampelopsidis</i>, <i>Otiorhynchus sulcatus</i>, <i>Leucoptera meyricki</i>, <i>Lobesia botrana</i>, <i>Aleurocanthus spiniferus</i>, <i>Aleurocanthus woglumi</i>, <i>Maconellicoccus hirsutus</i>, <i>Thrips palmi</i> and DA5 or DA15, <i>Pratylenchus vulnus</i>, <i>Xiphinema italliae</i> and DA7 or DA5 or DA2 (N°4), <i>Brevipalpus lewisi</i>, <i>Tetranychus pacificus</i>.</p> <p><u>Stocks:</u> Similar requirements for Plants except <i>Phymatotrichopsis omnivora</i> and nematodes. <u>In vitro:</u></p> <p>DA13 and DA11 or DA10, Grapevine flavescence doreé MLO, Tomato ring spot virus.</p>	<p><i>Lobesia botrana</i>, <i>Brevipalpus chilensis</i>, <i>Brevipalpus lewisi</i>, <i>Tetranychus pacificus</i>. and DA7 or DA1/shipment, <i>Thrips palmi</i>, <i>Otiorhynchus sulcatus</i>.</p>	
--	---	--

Attachment 3 - Normative Instruction No 59 – Pest Risk Assessments**Federal Official Journal – No.226 - Section 1, Friday, November 22,2002**

OFFICE OF THE MINISTER

NORMATIVE INSTRUCTION No 59, of NOVEMBER 21, 2002

THE MINISTER OF AGRICULTURE LIVESTOCK AND FOOD SUPPLY, by virtue of the authority vested in him by Article 87, sole paragraph, subparagraph II of the Constitution, and under the provisions in Chapters I and II of the Plant Health Protection Regulations approved by decree no. 24.114 of April 12, 1934, and according to the contents in Docket no. 21000.008745/2000-03, determines that:

Art. 1. Imports of plant products shall be subject to phytosanitary requirements established by means of Pest Risk Assessments – PRAs; said phytosanitary requirements shall be published in the Federal Official Journal.

Sole paragraph. In case of certain plant products of relevant public interest for which the required phytosanitary requirements have not been established yet, their import – in certain amounts and for given time periods - may be exceptionally authorized by the Minister of Agriculture Livestock and Food Supply based on emergency phytosanitary requirements established by DDIV - Department of Vegetable Defense and Inspection.

Art. 2. Pest Risk Assessments for the import of plant products shall be according to the procedures in the Annex to this Normative Instruction.

Sole paragraph. PRA dockets are available to the public, and DDIV is in charge of the PRAs.

Art. 3. Complementary measures for conducting the PRAs according to this Normative Instruction shall be implemented by SDA - Agriculture and Animal Protection Secretariat.

Art. 4. This Normative Instruction comes into force on the date of its publication.

MARCUS VINICIUS PRATINI DE MORAES

Annex:

Procedures for the accomplishment of Pest Risk Assessments – PRAs for imported plant products

1. Definitions

For the effects of this Normative Instruction:

1.1. Pest Risk Assessment - PRA

Pest risk estimation and pest risk management;

1.2. Pests

Any plant or animal species, strain or biotype or pathogen agent that is damaging to plants or plant products;

1.3. Phytosanitary requirements

Conditions for the import of plant products established by importing country;

1.4. National Plant Protection Organization- NPPO

Official national organization responsible for phytosanitary protection;

1.5. Interested party

Individuals or companies interested in importation of plant products and in the accomplishment of a PRA;

1.6. Cooperation center

Entity registered with the Ministry of Agriculture, Livestock and Food Supply - MAPA to cooperate in the conduction of PRAs;

1.7. PRA Request

Formal document requesting the initiation of a survey for a Pest Risk Assessment;

1.8. Plant products

Non manufactured plant material (including grains) and manufactured products that for their very nature or making may pose risks of introduction and dissemination of pests.

2. Application of these procedures

These procedures apply to the accomplishment Pest Risk Assessment for establishments or review of phytosanitary requirements for import of plant products.

3. Requesting PRA

For requesting a PRA, the interested party must follow the procedures below:

3.1. The PRA request and summary information must be filed at DFA - Federal Office of Agriculture - in the Brazilian State in which the interested party is doing business or directly at DDIV when the interested party is a country's NPPO or diplomatic representation;

3.2. The PRA request may be filed by groups or associations of interested parties and must refer to one product, proposed use and country of origin;

3.3. DFA shall review the documentation filed by the interested party in respect to the summary information required to start the PRA procedure, and if all documents are correct, the PRA request shall be forwarded to DDIV to start the PRA procedure;

3.4. In case summary information is not complete, DFA shall return documentation to interested party for completion;

4. Summary information for the PRA request

In order to request the start of a PRA procedure, the interested party must submit the following summary information in Portuguese:

4.1. Data of interested party:

- Name of Individual/Institution/Company/Diplomatic representation or NPPO;
- Attorney's name;
- Individual Taxpayer Identifying Number-CPF/ Number in National Registry of Legal Entities /CNPJ (N/A to Diplomatic representation and NPPOs);
- Complete address;
- Telephone number;
- Fax number;
- E-mail;

4.2. Plant product to be subject to PRA:

- Scientific name (species);
- Vegetal part to be imported;
- Proposed use (propagation, consumption, transformation, etc.);
- Presentation styles and wrapping to be used;
- Interested party's history of previous imports from the same origin, in terms of quantity and frequency;
- History of previous exports to Brazil, in terms of quantity and frequency, from the country of origin, when the interested party are an NPPO or diplomatic representation to Brazil

4.3. Country of Origin

- Production areas or regions;
- Location of embarkation ports;
- Means of transportation for the commodity.

5. The PRA Docket

Formalization of the PRA procedure shall be conducted according to the following:

5.1 At DDIV's discretion, Pest Risk Assessment procedures shall be started any moment by MAPA after interested party files PRA request and the required commodity data.

5.2. A PRA procedure docket is formalized in respect to one commodity from one country of origin, and all identical requests that may filed thereafter shall be added to this docket;

5.3. Data described in 6 is considered essential for conduction of a PRA and shall be requested to the NPPO of country of origin by DDIV. In the absence of response or justification for missing information, DDIV may decide to drop the procedure;

5.4. Once the PRA is accomplished, DDIV shall establish specific phytosanitary requirements for the commodity and country of origin, and shall forward the docket to SDA for final approval and publication of import requirements in the Official Journal.

6. Data to be supplied by NPPOs

To accomplish the Pest Risk Assessment, DDIV shall request the NPPO of the exporting country the following information, excluding data that had been supplied before:

6.1. List of pests in the country of origin or re-exporting country associated with the vegetal species under assessment that do not occur in Brazil, considering the port of entry and proposed use:

- Scientific name;
- Common name;
- Taxonomic classification;
- Synonymy;
- Vegetal parts affected;
- Stage of crop when the pest attack occurs;
- Pest control methods;
- Economic impacts (including environmental impacts);
- Ability to act as a vector to other pests;

- Geographical distribution of pest;
- References.

6.2. Information on the Official Plant Protection System related to pests considered in the previous clause:

- Description of Pest Surveillance and Monitoring Systems in place;
- Official pest control programs;
- Description of Official Certification System;
- Description of Risk Mitigation Systems (quarantine, free areas, System Approach, etc.);
- Phytosanitary requirements adopted in country of origin or re-exporting country, if any, upon import of the commodity related to PRA;
- Complete address, telephone number, fax number, and e-mail of official or private research institution in the country of origin that works with the product related to the PRA.

7. Pest Risk Assessment

7.1. PRAs shall be conducted by DDIV or in cooperation with one of the registered Cooperation Centers hired and designated by interested party, and shall be according to guidelines posted on DDIV website (www.agricultura.gov.br/DDIV);

7.2. PRA conducted at Cooperation Centers shall be forwarded to DDIV to be included to original docket for final assessment;

7.3. DDIV may request Cooperation Centers to provide additional information or PRA revision.

8. Sending a PRA docket to one of the Cooperation Centers

8.1. Any interested party requesting PRA may request that a PRA docket copy be sent to one of the Cooperation Centers registered with MAPA, in order to speed up PRA completion, and shall be responsible for the costs involved;

8.2. In case interested party chooses to use this procedure, it must complete the form Request for Sending PRA Docket Copy to Cooperation Center (see Appendix) and send the completed form to DDIV;

8.3. The list of Cooperation Centers is available on DDIV website (www.agricultura.gov.br/DDIV).

APPENDIX

REQUEST FOR SENDING PRA DOCKET COPY TO COOPERATION CENTER

To Director of DDIV-Department of Plant Inspection and Protection

1 – Name of interested party (Individual or attorney)

2 - Institution and address

Being aware of the Brazilian regulations on Pest Risk Assessments - PRAs for the import of plant products, respectfully requests that copy of docket No. _____, relating to a PRA for the importation of _____ (vegetal product) from _____(country or origin) be sent to _____ (Cooperation Center), care of Mr./Ms. _____ (Name of responsible person at Cooperation Center). To that end, applicant shall take all charges related to assessment by said Cooperation Center.

